

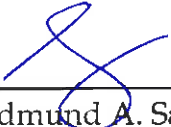
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

James Edward Franklin,	:	
	:	
Plaintiff	:	Civil Action 2:09-cv-00985
	:	
v.	:	Judge Sargus
	:	
State of Ohio, Department of	:	Magistrate Judge Abel
Development,	:	
	:	
Defendant	:	
	:	

ORDER

Plaintiff has failed to file proof of service of the summons and complaint on defendant within 120 days after filing the complaint. Plaintiff has failed to respond to the Court's June 21, 2010 Order to show cause why defendant should not be dismissed without prejudice pursuant to Rule 4(m), Fed. R. Civil. P. for failure to obtain service on it.

Accordingly, the Clerk of Court is **DIRECTED** to enter **JUDGMENT** dismissing defendant , without prejudice, under Rule 4(m), Fed. R. Civil. P. for failure to obtain service on defendant State of Ohio, Department of Development.

 7-12-2010

Edmund A. Sargus, Jr.
United States District Judge